



# *This Old Column*

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## **Satellite Dish Regulation**

There has been much confusion with the FCC ruling on satellite dishes. At first it appeared that the Federal Communications Commission prohibited restrictions on small satellite dishes (those less than one meter in diameter), or so it seemed. In the final ruling of August, 1996, two important aspects were revealed. First, any governmental entity must be cautious in how satellite dishes are regulated, if at all. They must err on the side of being non-restrictive. Second, the ruling does not take away all ability to control small dishes. It acknowledges the special situation that exists in historic districts and the necessity for preservation. The test appears to be that any regulations of small satellite dishes must be similar to that of other, comparable fixtures.

In the past, the IHPC policies recommended placement of satellite dishes in the rear area of a structure and not highly visible from the street. The current guidelines have changed slightly.

- Any dish located on a structure and not visible from the street, does not require a Certificate of Appropriateness.
- Any dish located on the rear 2/3rds of the structure, where it is visible from the street, will require a staff approval.
- Any dish located on the front 1/3<sup>rd</sup> of the structure, where it is visible, will be presented to the Commission for a Certificate of Authorization. This option is only available if there is no other alternative location and would be considered as a hardship situation.